

### **REMARKS**

Claims 16-20 and 38-41 are pending in the present application. Claims 16-20 and 39-41 are allowed. Claim 38 has been amended. No claims have been added and no claims have been canceled. Reconsideration is respectfully requested in view of the above amendments and the following comments.

#### **I. 35 U.S.C. § 112, First Paragraph**

The Examiner has rejected claim 38 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

The Examiner contends that the specification lacks description of a "tangible" computer readable medium, and as such, considers the insertion of "tangible" into claim 38 to be new matter.

By the present Amendment, claim 38 has been amended to replace the phrase "tangible computer readable medium" with the phrase "recordable-type computer readable medium". This terminology is recited and clearly defined in the specification as originally filed on page 23, lines 12-14. Accordingly, claim 38 now fully complies with the written description requirement, and withdrawal of the rejection of the claim under 35 U.S.C. § 112, first paragraph, is respectfully requested.

Therefore, the rejection of claim 38 under 35 U.S.C. § 112, first paragraph, has been overcome.

#### **II. 35 U.S.C. § 101**

The Examiner has rejected claim 38 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. This rejection is respectfully traversed.

The Examiner contends that claim 38 is directed to non-statutory subject matter because the computer readable medium recited therein is not limited to tangible embodiments that are within and enabled by the specification.

As indicated above, however, claim 38 has been amended to now recite "a recordable-type computer readable medium" and "wherein the instructions are embodied within the recordable-type computer readable medium". This language, as indicated

above, is fully supported by the present specification, and also recites a tangible medium that satisfies the requirements of 35 U.S.C. § 101.

Therefore, the rejection of claim 38 under 35 U.S.C. § 101 has been overcome.

### **III 35 U.S.C. § 132(a)**

The Examiner has objected to the Amendment filed August 19, 2005, under 35 U.S.C. § 132(a), as introducing new matter into the disclosure. This objection is respectfully traversed.

The Examiner contends that the written description provides no basis for "tangible" media added to the disclosure by the amendment filed August 19, 2005. As indicated above, however, claim 38 has been amended herein to replace the term "tangible" by the term "recordable-type" which is fully supported by the original disclosure.

Therefore, the objection to the Amendment filed August 19, 2005, under 35 U.S.C. § 132(a) has been overcome.

### **IV. 35 U.S.C. § 102. Anticipation**

The Examiner has rejected claim 38 under 35 U.S.C. § 102(e) as being anticipated by Lim et al. (U.S. Patent No. 6,718,550 B1). This rejection is respectfully traversed.

In order to expedite prosecution, claim 38 has been amended to track the language of allowed claim 16. In particular, claim 38, as amended, is as follows:

38. A computer program product for routing packets from a client to a selected process within a plurality of processes servicing a connection between a data processing system and the client comprising:
- a recordable-type computer readable medium;
  - first instructions for receiving a packet for the connection between the data processing system and the client, wherein the packet includes a destination address;
  - second instructions, responsive to receiving the packet, for a dispatch layer between a packet routing layer and an IP layer to identify a process within the plurality of processes to service the client;
  - third instructions for translating, in the dispatch layer, the destination address to an intermediate destination address, wherein the intermediate destination address is an address for the identified process within the plurality of

processes; and

fourth instructions, responsive to the translation, for sending the packet to the packet routing layer, wherein the instructions are embodied within the recordable-type computer readable medium.

Thus, claim 38 now recites the functions of the dispatch layer between the packet routing layer and the IP layer in greater detail and in a manner similar to allowed claim 16. As recognized by the Examiner, this subject matter is not disclosed in Lim et al, and claim 38 should be allowable in its present form, and it is respectfully requested that the Examiner so find.

Therefore, the rejection of claim 38 under 35 U.S.C. § 102(e) has been overcome.

#### V. Conclusion

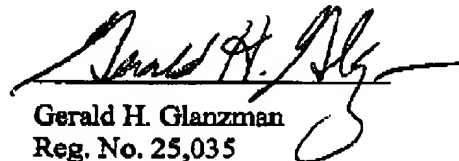
For all the above reasons, it is respectfully urged that claim 38 is allowable in its present form, and that all issues relating to 35 U.S.C. § 101; 35 U.S.C. § 112, first paragraph; and 35 U.S.C. § 132(a) have been addressed and resolved. Accordingly, this application is now believed to be in condition for allowance, and it is respectfully requested that the Examiner so find and issue a Notice of Allowance in due course.

Entrance of this Amendment as placing the application in condition for allowance is proper because claim 38 has been amended to substantially correspond to allowed claim 16, and thus, raises no new issues that would require further searching and/or consideration by the Examiner.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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